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SUMMARY RECORD OF THE 15th MEETING

Chairman: Mr. TSHERING (Bhutan)

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* Items which the Committee has decided to consider together.

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The meeting was called to order at 3.20 p.m.

AGENDA ITEM 106: CRIME PREVENTION AND CRIMINAL JUSTICE (continued) (A/50/254-S/1995/501, A/50/345, 373, 375, 432 and 433)

AGENDA ITEM 108: INTERNATIONAL DRUG CONTROL (continued) (A/50/89, A/50/95-E/1995/17, A/50/215-S/1995/475, A/50/407, A/50/425-S/1995/787, A/50/460 and 461)

1. Mr. OTUYELU (Nigeria) said that no nation was immune to the devastating problems of drug abuse and illicit trafficking. Nigeria pursued a comprehensive national drug control strategy and was totally committed to international cooperation under the relevant international agreements. At the end of 1994, his Government had taken a number of steps in that regard. A ministerial task force on drug trafficking and financial crimes had been established in order to unite the efforts of the various ministries and agencies. The Nigerian Commander-in-Chief had appointed a special adviser to coordinate the activities of all institutions and agencies dealing with drug control and financial crimes and to advise on policy formulation and evaluation. The Government had set up a national policy on drug trafficking, money-laundering and advance fee fraud and had established an interministerial committee on drug control, which was designed to counter narcotics operations and promote inter-agency cooperation. Nigeria had strengthened its National Drug Law Enforcement Agency and taken steps to stamp out corruption.

2. The Government had enacted stringent decrees on money-laundering and advance fee fraud and related offences, with a view to eradicating drug abuse and financial crimes. The steps taken to implement the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 included the promotion of subregional, regional and international cooperation in the exchange of information and technical assistance. To that end, Nigeria had offered to sign bilateral memoranda of understanding with many nations.

3. Nigeria was neither a drug producing nor a drug consuming country and, as current data proved, was not a major drug-trafficking country. Aware of the need for cooperation among all States in order to combat the scourge of drugs, Nigeria would continue to intensify its efforts to control drug trafficking.

4. Ms. ARYSTANBEKOVA (Kazakstan) stressed the need for a collective approach in developing an international strategy to combat the most dangerous forms of organized crime and commended United Nations activities in that field. The Organization's standards in the field of crime prevention and criminal justice had significantly strengthened cooperation in that regard. Such measures as the elaboration of model agreements on various types of bilateral and multilateral cooperation, increased exchange of information, technical assistance and training would enhance the effectiveness of efforts to combat organized crime. In view of the limited resources available, her delegation reaffirmed its support for General Assembly resolution 49/158, designed to ensure the appropriate organizational capability of the United Nations crime prevention and criminal justice programme.

5. Kazakstan had stepped up its efforts to combat organized crime on the basis of the recommendations put forward at the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders. Special units had been established to combat corruption, organized crime, smuggling and economic crimes. The newly established Council to Prevent Crime and Corruption, a consultative body, helped to coordinate the work of executive and administrative bodies. Her Government had created a special State commission for controlling narcotic substances in view of Kazakstan's production potential in that sphere, and also planned to accede in the near future to the 1988 Convention and to amend its national laws accordingly.

6. Her country had concluded bilateral agreements with a number of countries in order to coordinate action to combat organized crime. Increased cooperation at the regional level was particularly important in order to detect and prevent criminal activities. In that connection, she drew attention to the successful cooperation among the States members of the Commonwealth of Independent States in combating various types of organized crime. It would be extremely useful to exchange information on organized crime on a regular basis through the United Nations. The success of joint efforts by States in that field, of course, depended on international cooperation to promote economic progress and eliminate poverty and social inequality, which were the causes of criminal activity.

7. Mr. TATAD (Philippines) said that universal adherence to the international drug control agreements and enhanced implementation would increase the effectiveness of international drug control. His Government rejected the legalization of non-medical drugs and any proposal to accept drug abuse and merely limit its harmful effects. No Government could afford to waver in the total war against drugs.

8. In spite of its limited resources, the Philippines had reduced the availability of dangerous drugs without prejudice to legitimate medical requirements and sought to make popular lifestyles associated with drug use less attractive to the young. The Philippine drug-law enforcement programme aimed at eradicating cannabis plantations, neutralizing drug-trafficking networks, preventing the diversion of licit drugs from authorized outlets, and controlling the import of illicit drugs through rigid enforcement of custom laws and expanded regional and international cooperation with drug-control agencies. The programme also provided treatment, preventive education, training and information and had been particularly successful in the area of rehabilitation. His Government was especially concerned about the effects of drug abuse on children and on women of child-bearing age.

9. Within the Association of South-East Asian Nations (ASEAN), the Philippines had been actively involved in drug-abuse control initiatives. His Government encouraged the exchange of experience and expertise gained in implementation of the 1988 Convention and other pertinent drug-control instruments, and also offered to help improve policies and programmes through a readily accessible database on United Nations programmes as well as through access to comparable systems maintained by multilateral, regional and bilateral organizations.

10. The Philippines appreciated measures to control and eventually eliminate the cultivation of illicit substances, particularly marijuana, and recommended

the integration of demand-reduction initiatives into a cohesive strategy to combat drug abuse. It supported innovative measures for drug-abuse control and all initiatives under the United Nations International Drug Control Programme.

11. Mr. Yong-Min PARK (Republic of Korea), welcoming the resolute initiatives of the United Nations International Drug Control Programme (UNDCP) in the global war on drugs, said that his delegation strongly supported the active role of UNDCP in the coordination of international cooperation and its broad assistance to Member States.

12. Despite some recent successes such as crop-eradication programmes, the global fight against drug trafficking had made only limited progress. His Government was concerned about the increasingly blurred lines separating producer, transit and consumer countries. Transit countries and producer countries were rapidly becoming contaminated, while a large proportion of synthetic narcotics were being produced in consumer countries. In the Republic of Korea, where heroin abuse had been virtually non-existent, an alarming case of heroin smuggling had recently been discovered.

13. Enhanced cooperation at the international, regional and subregional levels was the key to effective anti-drug strategies. The Global Programme of Action adopted by the General Assembly at its seventeenth special session contained valuable guidelines. The world-wide drug situation must be approached from various angles. International agencies should continue increasing their involvement and allocate adequate resources for drug control activities. Also, prompt exchange of statistical data and updated materials would significantly contribute to the establishment of an advanced crime prevention system. His Government hosted an Annual Anti-drug Liaison Officials' Meeting for International Cooperation, providing a useful forum for countries in the Asia-Pacific region.

14. The Republic of Korea would soon ratify the 1988 Convention, and hoped that more countries would become parties to it.

15. Mr. MEKDAD (Syrian Arab Republic) said that increasing drug trafficking and other crime threatened future generations, hampered development and destroyed the fabric of society. He therefore welcomed the reports before the Committee as constructive contributions to the search for solutions. His country thought that major goals for the United Nations with regard to crime prevention and criminal justice should be support for and the coordination of international efforts to curb crime, and the provision of appropriate technical assistance to countries in order to strengthen criminal justice and law enforcement.

16. Syria had become a party to most of the international instruments concerning crime prevention and had made positive contributions to all the conferences held in order to coordinate international efforts to combat crime. He believed greater technical cooperation and an increased exchange of information between Member States would make those efforts more effective. However, his country saw no reason to support the suggestion to establish a crime prevention and criminal justice research institute for Mediterranean countries.

17. His country strongly condemned criminal acts of terrorism, and would permit no one to launch such acts from its territory, as President Hafez al-Assad had repeatedly affirmed. A distinction should, however, be made between terrorism and the legitimate struggle for liberation of peoples under foreign occupation. The people of Syria and Lebanon had the right to oppose the Israeli occupation of the Syrian Arab Golan and South Lebanon. Israel should immediately abandon the obstructive tactics it was using to hamper progress towards a just and comprehensive peace and start contributing to the peace process by fully implementing Security Council resolutions 242 (1967), 338 (1973) and 425 (1978).

18. The social and economic ills brought about by the drug trade made a coordinated approach dealing simultaneously with demand, production and distribution networks imperative. In 1993, the Syrian Arab Republic had passed legislation to combat the illegal use of drugs, taking into consideration the pertinent international conventions. His country also participated in all regional and Arab conferences concerned with drug trafficking, and made positive contributions on all levels, internationally and regionally. It had provided Interpol with vital information that had led to the seizure of tons of drugs in recent years, and had concluded bilateral agreements on the exchange of drug-trafficking information with many countries in the region.

19. While United Nations efforts should be supported, responsibility for combating drug trafficking must be shared, and there should be no intervention in the internal affairs of countries. He was confident that the efforts of individual States both alone and coordinated with those of others would be capable of putting an end to that phenomenon.

20. Ms. MESDOUA (Algeria) said that the international community was clearly determined to make even greater efforts in the world-wide struggle against drug trafficking. Recent international discussions and resolutions had demonstrated the necessity of global, multidisciplinary action, entailing the broadest possible cooperation among States. It was essential to improve coordination among the various United Nations drug-control bodies and to rationalize their efforts. She welcomed the international community's new approach, increasingly oriented towards concerted and pragmatic action. The work of UNDCP would be crucial; it required increased resources, increased commitment from donor States, and the greatest possible cooperation from the United Nations system. Algeria fully supported the UNDCP initiative for dialogue with international financial institutions. The debt-for-drugs concept was an innovative formula which would greatly assist producer States in their fight against the illicit drugs trade.

21. Africa had become a major centre for the transit of illicit drugs towards consumer States, local consumption had also increased considerably, and certain African States had even been identified as major centres of production. UNDCP should give higher priority and devote increased resources to protecting that particularly vulnerable region. The Government of Algeria had observed, through its seizures of illicit drugs, that transit through its territory no longer concerned only cannabis but had extended to "hard" drugs, and that more of the drugs in transit were being consumed locally. The Government had initiated a number of measures, including legislative changes, increased border controls,

and public awareness campaigns, which were particularly intended to protect young people. On the regional and international levels, Algeria was taking an active part in the fight against drug trafficking, and would welcome the holding of a world conference on international action to combat drug trafficking, money-laundering, arms traffic and terrorism.

22. Miss MOTEETEE (Lesotho) said that her Government had taken specific measures to protect the country's population from organized crime. Fraud, money-laundering and corruption had intensified recently during the rule of an undemocratic regime, but great attention was currently being given to the rule of law, adherence to professional codes of conduct by the police and public officials, accountability and respect for the functions of law-enforcement agencies.

23. Adequate resources were required to enable the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders to fulfil its mandate. On the bilateral level, Lesotho was cooperating with the Government of Denmark, with the object of improving the administration of justice, and a one-year research partnership programme on economic crime and corruption had been created. An in-service training programme provided a useful forum for the exchange of ideas on improving the criminal justice system. She hoped that improved training would help the police force to adapt to the new role it should be playing in a democratic society.

24. As in many developing countries, there was a need to strengthen the criminal justice system; for example, equipment to detect counterfeit money and computers for improved data management were needed. Such needs could be met with increased help from the United Nations Development Programme. Lesotho had concluded an extradition treaty with South Africa, aimed at fighting transnational crime; that was a great milestone in enhancing cooperation in the fight against crime.

25. Regarding international drug control, Lesotho acknowledged the fact that no country was immune to the problem, supported all those who were committed to fighting illicit production, supply and distribution of drugs, and had recently acceded to the 1988 Convention. International cooperation would enhance the capacity of countries, especially developing countries, to contribute to that fight.

26. Mr. Thomas MASUKU (Swaziland) said that the growing menace of transnational crime was that rare issue which commanded substantial unanimity among the Member States, regardless of their size and degree of development. In the southern African region, there had been an upsurge in transnational crime, including thefts of motor vehicles, smuggling of precious stones, arms and drugs, cattle rustling, and destruction of fauna.

27. His delegation believed that, given the close connection between international and local criminals, it was essential for States to deal effectively with crime at home before they could confront transnational crime without trepidation. Swaziland had taken measures to address the crime wave, including a review of sentencing and of the criminal justice system; creation of a multisectoral committee to advise on drug trafficking; improved policing and

crime prevention; public awareness campaigns in the media; soliciting technical assistance from developed countries; and improved cooperation and exchange of information with neighbouring States. The crime rate was responding well, but more needed to be done. His Government looked forward to benefiting from the sharing of experiences.

28. Efforts in the fields of social, economic and political development would be futile if transnational crime was not curbed. But no State could address the problem singlehandedly; it was necessary to create a network of bilateral, multilateral, regional and international connections.

29. Countries in the developing world, however, lacked resources to meet such challenges. Help was required from the developed world in such areas as analysis of criminal organizations, training, telecommunications and data processing, and technical assistance in the criminal justice system. That assistance, however, did not relieve States from carrying out their own duties, such as changing inhibitive legal procedures to facilitate crime prevention.

30. Appropriate action, commitment and pooling of resources were needed. The very existence of individual countries, as well as peace among nations, were at stake; it was a war which the international community could not afford to lose.

31. Mr. DEHGHANI (Islamic Republic of Iran) said that the importance of the role of the United Nations in crime prevention in recent years was illustrated by the number of international conferences held as well as the diversity and complexity of issues considered at such gatherings. His Government attached particular importance to the issues of violence against women and children, urban crime and crime-prevention strategies, adoption of international conventions against transnational crime, and international extradition and cooperation.

32. Because of its geographical location which made it vulnerable to the activities of narcotics crime networks, the Islamic Republic of Iran attached great importance to the fight against transnational organized crime, and had strongly urged all States which had not yet done so to ratify the 1988 Convention. Another issue requiring attention was the establishment of a professional and technical framework for the exchange of experiences and ideas among States. Such a framework would encourage crime-prevention assistance for developing countries.

33. The vital role of the mass media in influencing society, particularly the young, and reducing the level of crime was undeniable. Iran had argued in favour of the right of the mass media to have access to information, extensive reporting of crime, refraining from publishing unethical articles and pictures, ensuring press freedom through national legislation, and media campaigns on the subject of crimes against the environment. The improvement of extradition arrangements was another topic of great importance.

34. The people of the Islamic Republic of Iran had endured great human suffering in recent years due to terrorism. His Government, as always, condemned terrorism and supported all United Nations resolutions and welcomed

bilateral or multilateral arrangements to forbid the use of national territory for terrorist purposes and to eliminate bases and sanctuaries for terrorists.

35. The Islamic Republic of Iran, by upholding religious and moral values, had been able to implement successful crime prevention programmes and maintain a low crime rate. However, a number of crimes had taken place owing to drug trafficking and addiction, and the Islamic Republic of Iran was cooperating closely with the newly independent central Asian States to combat transnational organized crime. A total of $1.5 billion had been spent to fight drug trafficking in the past 15 years. Regarding violence against women, his Government considered that strengthening of family ties and respect for the social position of women would contribute to a reduction of domestic violence and of the abuse of vulnerable groups.

36. Unfortunately, ethnic conflicts, ethnic cleansing, and wars of attrition based on national superiority had led to escalation of violence, particularly against women and children; the tragic situation of Bosnia and Herzegovina was the most vivid manifestation of such events. Systematic rape and genocide had taken place in that country, while the world remained indifferent.

37. The Islamic Republic of Iran welcomed the vital new responsibilities entrusted to the Commission on Crime Prevention and Criminal Justice, and wished it further success. It also supported the proposed upgrade of the Crime Prevention and Criminal Justice Branch into a division.

38. His delegation hoped that the recent efforts of the international community to prevent crime at the international as well as the national levels would expand further; that would require a concerted effort by the United Nations and by Governments. He also hoped for increased exchange of information and experience among nations, particularly between the developed and developing countries. The Islamic Republic of Iran declared its readiness to join those noble efforts and contribute to the success of international endeavours to that end.

39. Ms. WAHBI (Sudan) said that organized transnational crime, a feature of the age, negated social and economic development. Because of its belief in international cooperation in combating crime, the Sudan had been an active participant in the Naples and Cairo conferences. The exchange of information and technical and material assistance were essential if developing countries that had become a theatre for organized transnational crime were to have the resources to counteract it. However, the phenomenon of organized transnational crime should not be expanded to include political ideas or exploited for political ends, but kept within agreed limits.

40. The United Nations African Institute for the Prevention of Crime and the Treatment of Offenders had an important role to play in strengthening cooperation. However, financial constraints were threatening its existence. The Sudan therefore supported the Secretary-General's appeal for additional funds to permit the Institute to continue its excellent work, and called upon UNDP to resume its assistance to the Institute.

41. Sudanese law guaranteed all, whether criminal or otherwise, their rights, and her country had taken a number of measures in order to develop its judicial apparatus. It had also recently established an organization to educate and rehabilitate prisoners, as well as a crime research institute.

42. Although such crimes as drug trafficking, money-laundering, violence against women and traffic in persons and body parts were unknown in the Sudan, owing to its strong social and religious traditions, her country cooperated with countries which suffered from them. Furthermore, it had become a party to all the relevant international conventions and worked to implement the international programme of work to combat organized transnational crime. The Sudan's cooperative approach had been demonstrated by its surrender to France of the terrorist "Carlos" and to Ethiopia of a hijacker it sought.

43. Many children in the south of the Sudan had been kidnapped by the insurgency movement there and forcibly enlisted in the war which had been imposed upon the country. Her country would take all action necessary to put an end to that phenomenon, and sought to ensure that Sudanese children could live in peace and security.

44. Increased effectiveness in the fight against crime and drugs was an inseparable component of social planning. The resolution of social problems by means of preserving family ties and disseminating spiritual, religious and moral values amongst individuals was the only way of protecting society and creating a world free of crime and violence.

45. Mr. SZYMANSKI (Poland) said that the growing challenge of organized transnational crime should be countered with a strengthening of international cooperation on law enforcement. Human rights and fundamental freedoms should, however, be respected at all times.

46. Strong measures had been taken in Poland against organized crime, and changes to the legal system had been introduced in recent years. Alternatives to imprisonment were being sought, and the abolishment of the death penalty had been proposed.

47. The United Nations International Drug Control Programme (UNDCP) had provided effective leadership in promoting anti-drug measures within the United Nations system, and was to be commended for the progress it had made in the past year. He noted the substantial growth in its delivery of technical assistance. UNDCP activities were important in the development and implementation of country-specific strategies, and his delegation welcomed the recently concluded subregional drug control programme for Central Europe, which he hoped would set a standard for such cooperation.

48. At its most recent session, the Commission on Narcotic Drug, with UNDCP support, had substantially contributed to the enhancement of drug-control activities of Governments, as requested by General Assembly resolution 48/12. It appeared that the Commission was still developing its approach as the governing body of UNDCP, and that it should establish sound methods of communication with the UNDCP secretariat, which often acted as the executive

agency of the Commission. An increase in the number of inter-sessional informal consultations might help.

49. His delegation was looking forward to a high-level discussion in the Economic and Social Council in 1996 to examine the status of international cooperation in that field and give high-level direction throughout the United Nations system.

50. Mr. KOLOSOVSKI (Russian Federation) underscored the increasingly important role played by the United Nations in coordinating crime-prevention efforts by States. His delegation supported the most recent decisions and recommendations of the Commission on Crime Prevention and Criminal Justice and the Commission's efforts to lay down objective criteria for defining United Nations crime-prevention priorities. In that connection, he stressed that United Nations crime-prevention policies should not depend exclusively on the availability of financial, particularly extrabudgetary, support. Speedy measures were necessary to strengthen the United Nations crime-prevention programme and carry out the resolutions calling for the reinforcement and upgrading of the Crime Prevention and Criminal Justice Branch of the Secretariat.

51. He underscored the exceptional importance of the results of the World Ministerial Conference on Organized Transnational Crime including the Naples Political Declaration and Global Action Plan, and noted with satisfaction that work had begun on establishing an international training centre for law enforcement and criminal justice personnel. The idea of establishing bilateral and multilateral task forces to conduct joint operations against transnational criminal organizations was an interesting one.

52. The Russian Federation commended the results of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders (A/50/373, annex) which had taken a number of important practical long-term decisions, including measures to strengthen international cooperation and practical assistance in enhancing the rule of law, the elaboration of model instruments, and study of the link between terrorist crimes and organized crime.

53. He noted with satisfaction that the Congress's agenda had reflected the programme priorities laid down by the Commission on Crime Prevention and Criminal Justice and that the workshops had achieved tangible results. Nevertheless, the Congress's potential had not been fully utilized. In the future, it would be necessary to ensure a more pragmatic approach in exchanging experience and defining new areas for cooperation. At the current time, it was important to bring the Congress's practical recommendations to the attention of the largest possible number of law-enforcement agencies and legal specialists and identify ways to implement them at the national level. The Russian Federation was already doing that.

54. His Government was seeking to establish as speedily as possible the legislative basis for combating the most dangerous types of crime. The Parliament of the Russian Federation was currently considering draft laws to combat organized crime and corruption and strengthen crime prevention. His country's law-enforcement agencies were continuing their efforts to reduce the

growth in crime. Nevertheless, in view of the transnationalization of criminal links, those efforts must be reinforced by cooperation at the international, regional and bilateral levels.

AGENDA ITEM 103: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/C.3/50/L.5, L.6 and L.9)

AGENDA ITEM 104: RIGHT OF PEOPLES TO SELF-DETERMINATION (continued) (A/C.3/50/L.4, L.7 and L.8)

Introduction of draft resolutions under agenda item 103

Draft resolution on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance (A/C.3/50/L.5)

55. Mrs. LIMJUCO (Philippines), speaking on behalf of the States Members of the United Nations that were members of the Group of 77 and China, introduced the draft resolution. She read out a number of minor revisions made to the text as a result of consultations with other delegations. In the view of the sponsors, the draft resolution reflected the current phenomenon of international migration as a consequence of economic disparities between countries, and was in line with international human rights instruments. They hoped that it would be adopted by consensus.

Draft resolution on the Third Decade to Combat Racism and Racial Discrimination (A/C.3/50/L.6)

56. Mr. SAHRAOUI (Algeria), speaking on behalf of the States Members of the United Nations that were members of the Group of 77 and China, introduced the draft resolution. The first footnote of the draft resolution should be corrected to indicate that China was one of the sponsors.

57. Although the Group of African States had traditionally submitted draft resolutions on the issue in question, it had decided that another group of countries should do so at the current session to reflect the fact that following the demise of apartheid, racism should no longer be seen as primarily an African problem. The language of the draft stressed the need for continual adaptation to new circumstances and reflected the proposal to hold a world conference on racism. The sponsors hoped that it would be adopted by consensus, as in the past.

Draft resolution on the report of the Committee on the Elimination of Racial Discrimination (A/C.3/50/L.9)

58. Ms. TOMIČ (Slovenia) introduced the draft resolution on behalf of the sponsors. Paragraphs 10 and 14 of the draft were particularly important, since they concerned the financing of the Committee in question. It was hoped that the draft resolution would be adopted without a vote.

Introduction of draft resolutions under agenda item 104

Draft resolution on the use of mercenaries as a means to violate human rights and to impede the exercise of the right of peoples to self-determination (A/C.3/50/L.4)

59. Mr. OTUYELU (Nigeria) introduced the draft resolution on behalf of the sponsors, which had been joined by Egypt. He said that the following new paragraph should be inserted between the fourth and fifth preambular paragraphs:

> "Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the polity and the economy of affected countries resulting from mercenary aggression and criminal activities."

60. He also read out several other revisions to the text of the draft. In the view of the sponsors, the report of the Special Rapporteur on the use of mercenaries left no doubt that mercenary activity directly affected self-determination and constituted a serious human rights issue.

Draft resolution on the universal realization of the right of peoples to self-determination (A/C.3/50/L.7)

61. Mr. KHAN (Pakistan) introduced the draft resolution on behalf of the sponsors. He said that, except for some minor technical changes to bring it up to date, the text of the draft was identical to that of General Assembly resolution 49/148, which had been adopted without a vote. In view of the continued importance of the issue, the sponsors hoped that the draft resolution would be adopted without a vote.

Draft resolution on the right of the Palestinian people to self-determination (A/C.3/50/L.8)

62. Mr. WISSA (Egypt) introduced the draft resolution on behalf of the sponsors, which had been joined by Guinea-Bissau, Lesotho and Mozambique. Since the draft resolution concerned a right which had already been acknowledged in previous resolutions, the sponsors hoped that it would be adopted by consensus as an expression of continued support for the Palestinian people and for the peace process in the Middle East.

The meeting rose at 6 p.m.